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Globalization, Law and Equality

Professor Rittich
Faculty of Law
University of Toronto

Winter 2006

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Course Materials

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January 5th – Introduction

Readings:

David Kennedy, "Challenging Expert Rule: The Politics of Global Governance" (2005) 27 Sydney Law Review 1 (distributed in advance)

January 12th – no class; Bridge week

January 19th – Equality in a Globalized World

Readings:

Ulrich Beck, "The Brazilianization of the West", *The Brave New World of Work* (New York: Polity, 2000), excerpts 1

Branko Milanovic, *Worlds Apart: Measuring International and Global Inequality* (Princeton: Princeton University Press, 2005), excerpts 4

Centre for Social Justice, *When Markets Fail People: Exploring the Widening Gap Between Rich and Poor in Canada* (Toronto: CSJ Foundation for Research and Education, 2001), executive summary 38

B. Cossman and J. Fudge, "Introduction", Brenda Cossman and Judy Fudge, eds., *Privatization, Law, and the Challenge to Feminism* (Toronto: University of Toronto Press, 2002), excerpts 43

January 26th – Global Regulatory Trends

Readings:

I. Shihata, *Complementary Reform: Essays on Legal, Judicial and Other Institutional Reforms* (The Hague: Kluwer, 1997), Chapter 1 - "Law, Development and the Role of the World Bank", excerpts 51

IMF, *World Economic Outlook: Advancing Structural Reforms* (Washington, D.C.: IMF, 2004), Chapter III, "Fostering Structural Reforms in Industrial Countries", http://www.imf.org/external/pubs/ft/weo/2004/01/pdf/chapter3.pdf., excerpts 62

Karl Klare, "Critical Legal Theory in a Nutshell" 64

Joe Singer, "Legal Realism Now", 76 California Law Review 482 (1988), excerpts 71

February 2nd- Global Labour Markets I – The Feminization of Labour

Readings:

Paul Krugman, "The Joyless Economy", *The New York Times*, December 5, 2005 80

Guy Standing, *Global Feminization Through Flexible Labor: A Theme Revisited*, 27:3 World Development 583 (1999) 82

Diane Elson, "Labor Markets as Gendered Institutions: Equality, Efficiency and Empowerment Issues", (1999) 27:3 World Development 611, excerpts.....102

Audrey Macklin, "Public Entrance/Private Member", Brenda Cossman and Judy Fudge, eds., *Privatization, Law, and the Challenge to Feminism* (Toronto: University of Toronto Press, 2002), 218, excerpts 105

B. Cossman and J. Fudge, "Conclusion: Privatization, Polarization, and Policy: Feminism and the Future", Brenda Cossman and Judy Fudge, eds., *Privatization, Law, and the Challenge to Feminism* (Toronto: University of Toronto Press, 2002) 116

February 9th - Global Labour Markets II – Insourcing and Outsourcing

Readings:

"Working Borders: Linking Debates About Insourcing and Outsourcing of Capital and Labor", 20 Texas Int'l Law Journal 691 (2004-5), excerpts 126

February 16th – no class; Bridge week

February 23rd – no class; Reading week

March 2nd – Border Tensions: Markets for Goods/Markets for People

Readings:

Peter Andreas, "The Escalation of U.S. Immigration Control in the Post-NAFTA Era" (1998-99) 113 Political Science Quarterly 591-615 201

John Braithwaite, *Markets in Vice/Markets in Virtue* (Oxford and New York: OUP, 2005), excerpts 226

Peter Andreas, "The Political Economy of Global Smuggling" from *Border Games: Policing the U.S.-Mexico Divide* (Ithaca and London: Cornell University Press, 2000) 243

Saskia Sassen, "Women's Burden: Counter-Geographies of Globalization and the Feminization of Survival", (2002) 71 Nordic Journal of International Law 255 250

March 9th - Migration, Trafficking and the Border between Free and Forced Labour

Readings:

ILO, *A Global Alliance Against Forced Labour* (Geneva: ILO, 2005), excerpts 261

Tanya Basok, *Tortillas and Tomatoes: Transmigrant Mexican Harvesters in Canada* (Montreal and Kingston: McGill-Queen's University Press, 2002), excerpts 279

Kemala Kempadoo, "Introduction: From Moral Panic to Global Justice: Changing Perspectives on Trafficking", in K. Kempadoo, ed., *Trafficking and prostitution reconsidered: new perspectives on sex work, migration and human rights* (Paradigm Publishers, 2005), vii-xxiv 316

March 16th - Global Justice and International Institutions

Readings:

Lan Cao, "An Evaluation of the World Bank's New Comprehensive Development Framework", in Michael Likosky, ed., *Privatising Development: Transnational Law, Infrastructure and Human Rights* (Leiden and Boston: Martinus Nijhoff, 2005), 27 326

B. S. Chimni, "International Institutions Today: An Imperial Global State in the Making", (2004) 15 European J. of Int'l Law 1 345

March 23rd - Mainstreaming Rights and Equality

Readings:

Celestine Nyamu-Musembi and Andrea Cornwall, "What is the 'rights-based approach' all about? Perspectives from international development agencies", IDS Working Paper 234, Institute of Development Studies, November 2004, excerpts 382

United Nations Economic and Social Council, "Measures taken and progress achieved in the follow-up to and implementation of the "Fourth "World Conference on Women and to the twenty-third special session of the General Assembly, with as assessment of progress made on mainstreaming a gender perspective within the United nations system", 10 December 2004, U.N. Doc E/CN.6/2005/3, excerpts 412

Hilary Charlesworth, "Not Waving but Drowning: Gender Mainstreaming and Human Rights in the United Nations" (2005) 18 Harvard Human Rights Journal 1 417

Balakrishnan Rajagopal, *International Law from Below: Development, Social Movements and Third World Resistance* (Cambridge, U.K.: Cambridge University Press, 2003), excerpts 435

March 30th - Governing Corporate Power

Readings:

Dan Danielsen, "How Corporations Govern: Taking Corporate Power Seriously in Transnational Regulation and Governance", 46 Harvard International Law Journal 411 (2005), excerpts 457

Case Study – Chad/Cameroon pipeline project

Readings:

Paul Brown, "Chad oil pipeline under attack for harming the poor", *Guardian*, September, 27, 2002 464

"Oil project thrusts aside human rights, says Amnesty", *Mail and Guardian Online*, September 8, 2005, available at: http://www.mg.co.za 465

Association Tchadienne pour la Promotion et la Defense des Droits de l'Homme, Chad, *et al*, *The Chad Cameroon Oil and Pipeline Project; Putting People and the Environment at Risk* (September, 1999) 467

Amnesty International, *Contracting Out of Human Rights: The Chad-Cameroon Pipeline Project* (London: Amnesty International, 2005), excerpts 495

April 6th – TBA/wrap-up